**South Carolina General Assembly**

119th Session, 2011-2012

**A241, R303, H4699**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Bannister, Harrison, Horne, Sellers, Hearn, Young, H.B. Brown, J.E. Smith, Brannon, Stavrinakis, Funderburk, Allen, Weeks, Munnerlyn and McLeod

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Introduced in the House on January 31, 2012

Introduced in the Senate on March 27, 2012

Last Amended on May 29, 2012

Passed by the General Assembly on June 6, 2012

Governor's Action: June 18, 2012, Signed

Summary: Increase in number of at-large circuit court judges

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/31/2012 House Introduced and read first time ([House Journal‑page 8](file:///h%3A%5Chj%20archive%5C2012%5C01-31-12.docx))

 1/31/2012 House Referred to Committee on **Judiciary** ([House Journal‑page 8](file:///h%3A%5Chj%20archive%5C2012%5C01-31-12.docx))

 3/21/2012 House Committee report: Favorable with amendment **Judiciary** ([House Journal‑page 52](file:///h%3A%5Chj%20archive%5C2012%5C03-21-12.docx))

 3/22/2012 House Member(s) request name added as sponsor: McLeod

 3/22/2012 House Amended ([House Journal‑page 46](file:///h%3A%5Chj%20archive%5C2012%5C03-22-12.docx))

 3/22/2012 House Read second time ([House Journal‑page 46](file:///h%3A%5Chj%20archive%5C2012%5C03-22-12.docx))

 3/22/2012 House Roll call Yeas‑111 Nays‑0 ([House Journal‑page 48](file:///h%3A%5Chj%20archive%5C2012%5C03-22-12.docx))

 3/22/2012 House Unanimous consent for third reading on next legislative day ([House Journal‑page 49](file:///h%3A%5Chj%20archive%5C2012%5C03-22-12.docx))

 3/23/2012 House Read third time and sent to Senate ([House Journal‑page 4](file:///h%3A%5Chj%20archive%5C2012%5C03-23-12.docx))

 3/23/2012 Scrivener's error corrected

 3/27/2012 Senate Introduced and read first time ([Senate Journal‑page 10](file:///h%3A%5Csj%20archive%5C2012%5C03-27-12.docx))

 3/27/2012 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 10](file:///h%3A%5Csj%20archive%5C2012%5C03-27-12.docx))

 4/2/2012 Senate Referred to Subcommittee: Rankin (ch), Hutto, Bright, Davis

 5/2/2012 Senate Committee report: Favorable with amendment **Judiciary** ([Senate Journal‑page 17](file:///h%3A%5Csj%20archive%5C2012%5C05-02-12.docx))

 5/3/2012 Scrivener's error corrected

 5/29/2012 Senate Committee Amendment Adopted ([Senate Journal‑page 45](file:///h%3A%5Csj%20archive%5C2012%5C05-29-12.docx))

 5/29/2012 Senate Read second time ([Senate Journal‑page 45](file:///h%3A%5Csj%20archive%5C2012%5C05-29-12.docx))

 5/29/2012 Senate Roll call Ayes‑36 Nays‑1 ([Senate Journal‑page 45](file:///h%3A%5Csj%20archive%5C2012%5C05-29-12.docx))

 6/6/2012 Senate Read third time and returned to House with amendments ([Senate Journal‑page 5](file:///h%3A%5Csj%20archive%5C2012%5C06-06-12.docx))

 6/6/2012 House Concurred in Senate amendment and enrolled ([House Journal‑page 101](file:///h%3A%5Chj%20archive%5C2012%5C06-06-12.docx))

 6/6/2012 House Roll call Yeas‑101 Nays‑1 ([House Journal‑page 102](file:///h%3A%5Chj%20archive%5C2012%5C06-06-12.docx))

 6/12/2012 Ratified R 303

 6/18/2012 Signed By Governor

 6/20/2012 Effective date 06/18/12

 6/26/2012 Act No. 241

**VERSIONS OF THIS BILL**

[1/31/2012](file:///p%3A%5Cpprever%5C2011-12%5C4699_20120131.docx)

[3/21/2012](file:///p%3A%5Cpprever%5C2011-12%5C4699_20120321.docx)

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[5/2/2012](file:///p%3A%5Cpprever%5C2011-12%5C4699_20120502.docx)

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[5/29/2012](file:///p%3A%5Cpprever%5C2011-12%5C4699_20120529.docx)

(A241, R303, H4699)

**AN ACT TO AMEND SECTION 14‑5‑610, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS AND ADDITIONAL AT‑LARGE CIRCUIT JUDGES, SO AS TO INCREASE THE NUMBER OF AT‑LARGE CIRCUIT COURT JUDGES FROM THIRTEEN TO SIXTEEN; AND TO AMEND SECTION 63‑3‑40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO ADD SIX ADDITIONAL FAMILY COURT JUDGES WHO SHALL BE AT LARGE AND MUST BE ELECTED WITHOUT REGARD TO THEIR COUNTY OR CIRCUIT OF RESIDENCE.**

Be it enacted by the General Assembly of the State of South Carolina:

**Additional at‑large circuit judges**

SECTION 1. Section 14‑5‑610 of the 1976 Code, as last amended by Act 155 of 1997, is further amended to read:

 “Section 14‑5‑610. (A) The State is divided into sixteen judicial circuits as follows:

 (1) The first circuit is composed of the counties of Calhoun, Dorchester, and Orangeburg.

 (2) The second circuit is composed of the counties of Aiken, Bamberg, and Barnwell.

 (3) The third circuit is composed of the counties of Clarendon, Lee, Sumter, and Williamsburg.

 (4) The fourth circuit is composed of the counties of Chesterfield, Darlington, Marlboro, and Dillon.

 (5) The fifth circuit is composed of the counties of Kershaw and Richland.

 (6) The sixth circuit is composed of the counties of Chester, Lancaster, and Fairfield.

 (7) The seventh circuit is composed of the counties of Cherokee and Spartanburg.

 (8) The eighth circuit is composed of the counties of Abbeville, Greenwood, Laurens, and Newberry.

 (9) The ninth circuit is composed of the counties of Charleston and Berkeley.

 (10) The tenth circuit is composed of the counties of Anderson and Oconee.

 (11) The eleventh circuit is composed of the counties of Lexington, McCormick, Saluda, and Edgefield.

 (12) The twelfth circuit is composed of the counties of Florence and Marion.

 (13) The thirteenth circuit is composed of the counties of Greenville and Pickens.

 (14) The fourteenth circuit is composed of the counties of Allendale, Hampton, Colleton, Jasper, and Beaufort.

 (15) The fifteenth circuit is composed of the counties of Georgetown and Horry.

 (16) The sixteenth circuit is composed of the counties of York and Union.

 (B) One judge must be elected from the second, sixth, and twelfth circuits. Two judges must be elected from the first, third, fourth, seventh, eighth, tenth, eleventh, fourteenth, fifteenth, and sixteenth circuits. Three judges must be elected from the fifth and ninth circuits. Four judges must be elected from the thirteenth circuit.

 (C) In addition to the above judges authorized by this section, there must be sixteen additional circuit judges elected by the General Assembly from the State at large for terms of office of six years. These additional judges must be elected without regard to county or circuit of residence. Each office of the at‑large judges is a separate office and is assigned numerical designations of Seat No. 1 through Seat No. 16, respectively.”

**Six at‑large family court judges**

SECTION 2. Section 63‑3‑40 of the 1976 Code is amended to read:

 “Section 63‑3‑40.(A) The General Assembly shall elect a number of family court judges from each judicial circuit as follows:

 First Circuit Three Judges

 Second Circuit Two Judges

 Third Circuit Three Judges

 Fourth Circuit Three Judges

 Fifth Circuit Four Judges

 Sixth Circuit Two Judges

 Seventh Circuit Three Judges

 Eighth Circuit Three Judges

 Ninth Circuit Six Judges

 Tenth Circuit Three Judges

 Eleventh Circuit Three Judges

 Twelfth Circuit Three Judges

 Thirteenth Circuit Six Judges

 Fourteenth Circuit Three Judges

 Fifteenth Circuit Three Judges

 Sixteenth Circuit Two Judges

 (B) In the following judicial circuits at least one family court judge must be a resident of each county in the circuit: fifth, seventh, tenth, twelfth, thirteenth, fifteenth, and sixteenth. In those judicial circuits made up of three or more counties, at least one family court judge must be a resident of one of the counties which does not have the largest population in the circuit. In the ninth circuit, both counties in the circuit must have at least two resident family court judges.

 (C) No county in the sixth circuit shall have more than one resident family court judge.

 (D) In addition to the judges authorized by this section, there must be six additional family court judges elected by the General Assembly from the State at large for terms of office of six years. These additional judges must be elected without regard to county or circuit of residence. Each office of the at‑large judges is a separate office and is assigned numerical designations of Seat No. 1 through Seat No. 6, respectively.”

**Nomination and election**

SECTION 3. The Judicial Merit Selection Commission shall begin the process of nominating candidates for the judicial offices authorized by the provisions of SECTIONS 1 and 2, and the General Assembly then shall elect these judges from the nominees of the commission; except that, the nominating process may not begin until funding for the additional judges is provided in the general appropriations act.

**Time effective**

SECTION 4. This act takes effect upon approval by the Governor.

Ratified the 12th day of June, 2012.

Approved the 18th day of June, 2012.

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